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2017-2018 SOUTHWESTERN OKLAHOMA STATE UNIVERSITY ANNUAL CRIME REPORT AND ANNUAL FIRE SAFETY REPORT

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INTRODUCTION

The Chief of Southwestern Oklahoma State University (SWOSU) Campus Police, or his/her designee, will compile data, review policies, and prepare the annual report pursuant to the Jeanne Clery Disclosure of Campus Security Policy, Campus Crime Statistics Act, Violence Against Women Act as well as other applicable laws and regulations. The Chief will work with appropriate SWOSU departments and individuals to compile and to create the necessary information for the annual report. In addition, this group will work with local law enforcement agencies to collect statistical data for inclusion in the report.

CLERY ACT REPORTING REQUIREMENTS

Each institution of higher education receiving federal financial assistance under the programs authorized under Title IV of the Higher Education Act of 1965 is required to disclose annual information about campus crime and security policies as well as timely warnings in certain situations. The Clery Act (Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 1990, as amended) specifically requires that colleges and universities have in place and disclose policies, practices and procedures including those listed below:

- Policies regarding procedures and facilities for students and others to report criminal actions or other emergencies on campus and regarding SWOSU's response to such reports. Reports should be made to SWOSU Campus Police Department or other Campus Security Authorities including: Any official who has significant responsibilities for student and campus activities, including student housing, student discipline, student activities, club sponsors, team coaches, etc.
- Policy concerning security of and access to campus facilities, including residences, and security considerations used in the maintenance of campus facilities.
- Campus law enforcement policies, including enforcement authority, and policies encouraging accurate and prompt reporting of crimes.
- Description of the type and frequency of educational programs designed to inform students and employees about campus security procedures and crime prevention procedures and practices to encourage students and employees to be responsible for their own security and security of others.
- Annual reporting of statistics concerning the occurrence on campus, in or on non-campus buildings or property and on public property contiguous to campus, the following criminal offenses are reported: murder, manslaughter and sexual assaults including: rape, fondling, incest, statutory rape and crimes in which the victim is intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin or disability robbery, aggravated assault, burglary, motor vehicle theft, arson, and including larceny, vandalism and intimidation. Crimes of domestic violence, dating violence, stalking, and arrests of persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons violations.

- Policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations recognized by SWOSU that are engaged in by SWOSU students, including student organizations with off-campus housing facilities.
- Policy regarding possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.
- Policy regarding possession, use and sale of illegal drugs and enforcement of federal and state drug laws.
- Description of drug and alcohol abuse education programs.
- Campus sexual assault programs and procedures to prevent sex offenses.
- Where information concerning registered sex offenders may be obtained.
- Information regarding emergency response and evacuation procedures.
- Policies, procedures, statistics and programs associated with sexual misconduct.
- Fire safety information and statistics/equipment for campus residential facilities.
- Policy regarding missing student notification procedures.

NOTICE OF AVAILABILITY OF ANNUAL SECURITY REPORT

The Federal Student Right-to-Know, Crime Awareness and Campus Security Act, now cited as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and herein identified as the “Clery Report,” requires institutions of higher education to annually prepare and publish a report concerning campus crime statistics and security policies. The report is distributed through appropriate publications, mailings, or computer networks to all current students, staff and faculty, as well as to all prospective students, staff and faculty upon request. The report contains annual specific campus crime and arrest statistics and campus policies and practices intended to promote crime awareness, campus safety and security.

This report is prepared by SWOSU Campus Police Department. All prospective faculty, staff and students are required and will be notified through Human Resources on the availability of this report. A disclosure letter will be disseminated to all faculty/staff/students by October 1 each year, in addition to once in the spring semester.

Prospective faculty, staff and students will get the information on the SWOSU web site under “future students”. <http://www.swosu.edu/admissions/campus-safety.aspx> and “human resources” <http://www.swosu.edu/administration/hr/emp-reg.aspx> Copies of this report may be obtained at: <http://www.swosu.edu/administration/police/index.aspx>

Upon request, a copy of this report can also be obtained in person at:

SWOSU Campus Police Department
SE corner of State and College
580-774-3111
580-774-7116
police@swosu.edu

CAMPUS SECURITY AUTHORITIES

The U.S. Department of Education defines Campus Security Authorities (CSA) as:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

CAMPUS SECURITY AUTHORITIES

The following individuals are DESIGNATED CAMPUS SECURITY AUTHORITIES:

Title	Phone Number
President	(580) 774-3766
Vice President for Administration & Finance	(580) 774-3000
Vice President for Academic Affairs	(580) 774-3264
Vice President for Student Affairs	(580) 774-7172
Vice President for Public Relations & Marketing	(580) 774-3063
SWOSU Public Safety	(580) 772-3111
Dean/Chairs of Departments	(580) 774-6611
Human Resource Department	(580) 774-3275
Dean of Students	(580) 774-3767
Counseling/Nursing Services	(580) 774-3776
Athletic Director/Coaches	(580) 774-3701
Director of Housing	(580) 774-3024
International Student Affairs	(580) 774-3765

Each CSA is required to complete a training program coordinated by SWOSU Campus Police, which includes mechanisms for forwarding reports to SWOSU Campus Police and overall responsibilities of a CSA.

A CSA is responsible for reporting Clery Act crimes they discovered themselves or which they received in good faith from other. These crimes (including weapons, drug, alcohol offenses, dating violence, stalking, etc.) are reported to SWOSU Campus Police who will investigate the incident or refer it to the appropriate office or agency for investigation.

A CSA is NOT responsible for determining whether a crime took place. A CSA should never attempt to apprehend an alleged perpetrator of a crime.

SWOSU CAMPUS POLICE DEPARTMENT

SWOSU Campus Police operates its own full-time, police department. SWOSU Campus police officers are duly commissioned State of Oklahoma police officers. Their authority comes from Oklahoma State Statute (74 O. S. 360) Each police officer is certified by the Oklahoma Council on Law Enforcement Education and Training (CLEET) certifies each officer via attendance at the state-sponsored police academy.

SWOSU Campus Police Officers have complete police authority on property owned by SWOSU and any other property contiguous to SWOSU pursuant to an agreement with the City of Weatherford. SWOSU police officers also have limited authority within the City of Weatherford pursuant to a MOU agreement. Fraternity and Sorority housing facilities, which are privately owned, fall under the Weatherford Police Department's primary jurisdiction.

If a student commits minor offenses involving SWOSU rules and regulations, the SWOSU Campus Police may also refer the individual to the Dean of Students. Major offenses such as rape, murder aggravated assault, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from SWOSU Campus Police and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at municipal, county, or federal court.

<http://www.swosu.edu/administration/police/docs/jurisdictional-boundaries.pdf>

WORKING RELATIONSHIP WITH OTHER LAW ENFORCEMENT AGENCIES

SWOSU Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Weatherford Police Department (WPD) on the WPD radio network. The SWOSU Campus Police Department is also a part of the county 911 emergency system. By mutual agreement with state and federal agencies, the SWOSU Campus Police maintain a link with the Oklahoma State Bureau of Investigation (OSBI). Through this connection, police personnel can access the national crime information computer system as well as all information enforcement system. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Per agreement with WPD, the SWOSU Campus Police's jurisdiction extends to any university owned or leased property and in outlying areas. Both SWOSU Campus Police and WPD patrol these areas jointly. Through coordination with WPD, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the dean of students for any action or follow-up that may be required.

TIMELY WARNING POLICY

To help prevent crimes or serious incidents, the SWOSU Campus Police, in conjunction with other departments on campus, issue timely warnings to notify SWOSU community members about crimes or other serious incidents in and around the community. If a situation arises that, in the judgment of the President, any Vice President, Chief of Police or his/her designee constitutes an ongoing or continuing threat, a campus-wide warning will be issued. The warnings will be issued Campus Crime Alerts may be e-mailed, text (e2campus) message, bulletin boards or other available means, as reasonably and timely as possible to faculty, staff, and students, distributed throughout campus, provided to campus media, posted on the SWOSU Campus Police website and, if appropriate, posted in off-campus areas frequented by students.

Whenever the WPD issues a news release about an off-campus crime that represents a serious or ongoing threat to the safety of students, faculty and staff, SWOSU may assist in publicizing the crime on campus.

The purpose of timely warnings is to provide the SWOSU community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to SWOSU Campus Police at (580) 774-3111.

DAILY CRIME LOG

A daily crime log is available for review during normal business hours at the SWOSU Campus Police Department located on the SE corner of State and College. The information in the crime log typically includes the case number, classification, date reported, date occurred, time occurred, general location and disposition of each crime. It does not include names of the parties involved.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES STATEMENT (ERAEP)

The SWOSU administration will immediately notify the campus community in the event and confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of the campus community. The decision to notify the community will be based on a case-by-case basis.

Law enforcement personnel at the scene will make the initial recommendation and they will request notification of the campus community based on their professional judgment. This recommendation can be made to any senior administrator, but is typically made to the President, Executive Vice President or the Vice President for Academic Affairs. The persons responsible for sending the official notification include, but is not limited to, the SWOSU Chief of Police, the SWOSU dispatcher, the SWOSU Information Technology Service Director and the Vice President of Public Relations and Marketing.

In the event of an incident, which would require the larger community to be notified, information will be sent through the internet, local media, and local cable channels if appropriate.

SWOSU Campus Police and designated persons will test the ERAEP annually and document the information concerning a description of the exercise, i.e. date, time and if announced or not announced. This documentation will be kept in the Annual Security Report paper file at the SWOSU Campus Police Department.

Notification to University Community about an Immediate Threat

If the SWOSU Campus Police confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southwestern Oklahoma State University community, the SWOSU Campus Police and/or the President, any Vice President, Chief of Police or his/her designee will utilize some or all of the systems described under the Timely Warning Policy (located at page 5) to communicate the threat to the SWOSU community or appropriate segment of the community if the threat is limited to a particular building or segment of the population. The SWOSU Campus Police Department immediately, and taking into account the safety of the community, determines the content of the notification and initiates the notification system unless issuing a notification will, in the judgment of the responsible authorities (including the President, any Vice President, Chief of Police or his/her designee compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Emergency Text Messaging System

SWOSU provides emergency notification services (Omnilert) to the SWOSU community via cell phone text messages and email. The Emergency Text Messaging System is available to students, faculty and staff on Weatherford and Sayre campuses.

To participate in this service, individuals must register through the SWOSU Campus Police web site. <https://swosu.omnilert.net/>

Messages may be used for situations that pose immediate danger or the closing of an entire campus. Messages about campus crime alerts generally will not be sent unless it is decided there is imminent threat of danger. This notification service is provided in addition to existing emergency reporting procedures and does not replace or eliminate any emergency notification system (e.g., tornado sirens).

Emergency Notification Policy Test

SWOSU Campus Police Chief or his/her designee will test the system annually and record this information. Test results will be kept in SWOSU Campus Police Department and available for public viewing on request.

Medical Emergencies

Steps to take in a medical emergency:

- Do not move the patient unless his or her life is in danger.
- Have someone stay with the patient until help arrives.

- Call 911. Tell them your name, your exact location and a brief description of the problem. Do not hang up until told to do so.
- Meet emergency personnel to guide them to the patient.

SWOSU Campus Police will contact SWOSU Health Services or emergency services if necessary. SWOSU Health Services Hours: 8:00 am -12:00 pm and 1:00 pm - 5:00 pm Monday thru Friday while class is in session, in the Wellness Center.

Campus Wide Emergency Response

The purpose of this policy is to establish emergency response procedures SWOSU, as required by the Higher Education Opportunity Act of 2008. This policy applies to all students, staff and faculty of SWOSU.

The goal of this plan is to limit the loss of life and property in the event of an emergency or crisis that affects the operations of SWOSU. The proper use of available resources and personnel is critical to the successful management of Emergency Operations, including, but not limited to:

- Provide maximum preparation to reduce the potential for injury or damage;
- Provide a coordinated, interdisciplinary, and comprehensive response to a critical situation;
- Maximize the effectiveness and immediacy of response to victims;
- Facilitate assistance to the primary, secondary, and tertiary victims;
- Reduce the severity and duration of the trauma to the campus community;
- Provide coordinated internal and external communications;
- Facilitate coordination with external agencies;
- Prepare for post-crisis support, evaluation, and condition;
- Reassure the public and local community;
- Guard the institution's image.

For the purposes of this plan, an emergency is defined as any unplanned or sudden serious event or condition that cannot be controlled by normal responses or measures. SWOSU's Chief of Police or his/her designee will have primary responsibility for convening the Emergency Management Team and will manage the institutional response. Once a state of emergency is declared, the plan's guidelines are to be implemented by all faculty, staff and students. The procedures contained in this document are guides and should be used as a flexible tool to respond to a variety of circumstances. This plan applies to all SWOSU personnel and properties. The City of Weatherford has developed its own plan and SWOSU's plan will be incorporated into the overall City plan.

Natural Disasters

The following information is a guideline to aid you in determining what action you should take in severe weather.

Tornado WATCH: Conditions are such that storms capable of producing a tornado may develop.

Tornado WARNING: Either a tornado has been sighted or it is highly probable that one will develop. The storm warning sirens will signal a warning.

Weatherford Fire Department will test the storm sirens monthly on the first Monday at 12:00 pm.

Tornado Precautions:

- If you are in the warning area, seek shelter immediately, each building has a designated storm shelter area, if unaware of the location use the lowest accessible floor of the building away from windows and doors. Volunteer storm shelters are the Science Building and the Library Auditorium west entrance.
- If you are in a vehicle, get out and seek shelter in a sturdy building. If a building is not available, a depression such as a ditch or ravine offers some protection but be alert for flashfloods.
- Do not open windows. This can actually increase damage to the building. Stay away from windows and exterior doors.
- Basements, interior hallways on the lower floors and small interior rooms on the lower floors offer the best shelter.
- Do not attempt to turn utilities on or off.
- Report injuries and damage to the SWOSU Campus Police Department at 580-774-3111. After the all clear, leave badly damaged buildings and do not attempt to return unless directed to do so by emergency personnel.

CRIME PREVENTION

Policy Statement Addressing Crime Prevention Programs for Students, Staff and Faculty

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. SWOSU Campus Police personnel facilitate programs for student, parent, staff, faculty, and new employee orientations, student organizations, community organizations, in addition to quarterly programs for Housing Services Resident Advisers and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well or contact campus police for an escort.

Personal Safety

The following precautions provide guidance.

General Precautions and Crime Prevention Tips:

1. Program the SWOSU Campus Police Department's phone number (580) 774-3111 into your cell phone. Report any suspicious activity to the SWOSU Campus Police Department immediately.
2. Never take personal safety for granted. Always be aware of your surroundings.
3. Try to avoid walking alone at night. Request an escort from the SWOSU Campus Police Department by calling (580) 774-3111.
4. Limit your alcohol consumption and leave social functions that get too loud or too crowded, or that have too many people drinking excessively. Remember to call the SWOSU Campus Police Department or the Weatherford Police Department for help at the first sign of trouble.
5. Use lighted walkways and thoroughfares, even if it means going out of your way.
6. Carry only small amounts of cash and keep purses, backpacks and money belts close to the body.
7. Do not struggle if someone attempts to take your property.
8. Never leave valuables unattended. (Wallets, purses, books, calculators, laptops, etc.)
9. Carry your keys at all times and do not lend them to anyone.
10. Lock up bicycles and motorcycles. Lock doors and close windows when leaving your car.
11. Remember to lock the doors at your residence. Be certain that your door is locked to your residence when you go to sleep, and keep windows closed and locked when you are not at home.
12. Do not leave valuables in your car, especially if they can be easily noticed.
13. Engrave serial numbers or owner has recognized numbers, such as a driver's license number, on items of value.
14. Inventory your personal property and insure it appropriately with personal insurance coverage.

At home, in an apartment building, or in a residence hall

1. Keep your room door locked when you are sleeping.

2. Never let unauthorized persons come into your room, enter residence halls, or enter apartment security doors. Always ask to see proper identification.
3. Never prop open inside or outside doors.
4. Do not hide keys outside your room or apartment. Do not put your name or address on your key rings.
5. Avoid working or studying alone in a campus building.
6. Never dress in front of a window. Close blinds or curtains after dark.
7. If an intruder awakens you inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and call the police.
8. Any suspicious activity should be reported to the SWOSU Campus Police Department immediately.

When driving:

1. Park your vehicle in a well-lit and populated area.
2. Have your car keys in your hand when approaching your vehicle so you can enter quickly.
3. Scan the area before getting into your vehicle and always check underneath your car upon approach and in the rear seat for intruders before entering the automobile.
4. Lock your doors and keep windows rolled up whenever possible.
5. Drive on well-traveled and well-lit streets.
6. Never hitchhike, and never pick up hitchhikers.
7. If someone tries to enter your stopped vehicle, sound the horn and drive to a safe area such as a convenience store.
8. If your vehicle breaks down, ask any person who stops to help to call the police. Do not allow any person access to you or inside your car. Roll down your window no more than an inch. Be aware that an accident may be staged to provide the other driver an opportunity to commit a criminal act.
9. Leave enough room between your car and the one ahead so you can drive around it if necessary.
10. Call ahead when driving to your home or apartment late at night and have someone watch you walk from your car to the residence.
11. Limit distractions such as cellphones.

While walking or jogging

1. Avoid walking or jogging alone, and try not to walk or jog after dark.
2. Avoid dark or vacant areas. Walk along well-lit routes.
3. Be alert to your surroundings. If you suspect you are being followed: Run in a different direction, go to the other side of the street and yell for help, or move quickly to a lighted area, a group of people.

Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks can be found at <http://www.helpguide.org/articles/abuse/domestic-violence-and-abuse.htm>

Escort Service

SWOSU Campus Police offers a safe escort across campus by calling (580) 774-3111.

ACTIVE SHOOTER RESPONSE TRAINING A.L.I.C.E. Program

When a hostile person(s) is actively causing deadly harm or the imminent threat of deadly harm within a building or other location, it is important that you be prepared to act.

SWOSU has adopted the A.L.I.C.E. active shooter civilian response-training program. A.L.I.C.E. stands for Alert, Lockdown, Inform, Counter, and Evacuate.

This program is founded on the principle that to survive an active shooter emergency, you must be prepared to acknowledge a threat immediately and then Run, Hide or Fight. SWOSU Campus Police Department is prepared to train any interested SWOSU community members in this valuable and potentially lifesaving program for no cost.

Classes can be tailored around the needs of the group and can include a two (2) hour program on basics or a four (4) hour comprehensive program where attendees simulate a response to a life threatening active shooter.

For more information on the A.L.I.C.E program at SWOSU, including seeking information on attending an open class for individuals, please call SWOSU Campus Police Department at (580) 774-3111.

SELF DEFENSE TRAINING RAPE AGGRESSION DEFENSE-R.A.D. Program

SWOSU Campus Police Department is instructing three self-defense programs on campus.

The Rape Defense <http://www.rad-systems.com/> is a national program of realistic self-defense tactics and techniques taught for women only. Nationally certified R.A.D. instructors teach all courses.

The goal of R.A.D. is to provide realistic self-defense options to women, regardless of their level of physical conditioning. Students at all levels of ability, age, experience, and strength will be provided with techniques and information that can be effectively used from the first day of class. R.A.D. is not a martial arts program, nor does it require students to be athletes in training to succeed.

R.A.D. Aerosol Defense option: http://www.rad-systems.com/rad_aerosol.html using the proven R.A.D. Systems philosophy, A.D.O. destroys the myths and manufacture hype about pepper spray effectiveness and even its ability to deter a Committed Focused Aggressor. Learn the most realistic methods for accessing, deploying and assisting the aerosol defense option; and if it fails to work (and it may), learn the proven backup strategies needed for successful escape. R.A.D. Systems has conducted over 300 videotaped live test exposures to various aerosol products with a wide range of delivery systems. Stop believing a manufacturer's selling hype. We know what works and what does not through hands on experience.

RESISTING AGGRESSION WITH DEFENSE R.A.D. Program

The R.A.D. for Men http://www.rad-systems.com/rad_men.html participants will have the opportunity to: raise their awareness of aggressive behavior, recognize how aggressive behavior impacts their lives, learn steps to avoid aggressive behavior, consider how they can be part of reducing aggression and violence, and practice hands-on self-defense skills to resist and escape aggressive behavior directed toward them. This program is designed to empower participants to make safer choices when confronted with aggressive behavior.

Every student receives a manual for reference and practice. Once a student has completed a R.A.D. program, their signed manual becomes a ticket for free return and practice with any instructor in the US and Canada.

The widespread acceptance of R.A.D. system is due to the ease, simplicity, and effectiveness of our tactics, solid research, legal defensibility, and unique teaching methodology. R.A.D. is the only self-defense program endorsed by the International Association of Campus Law Enforcement Administrators (IALCEA).

SWOSU is now offering R.A.D. for credit. SWOSU students may enroll in this course and receive a one-hour credit.

For more information, please call SWOSU Campus Police Department at (580) 774-3111.

SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained.

Oklahoma law (Title 57, Sections 583-584) requires anyone required to register as a sex offender do so with both their local law enforcement, municipal or county agency at their residence and also with the police or security department of any institution of higher education at which they are enrolled as a student (full-time or part-time), are an employee (full-time or part-time) or reside (or intend to reside or stay) on any property owned or controlled by the institution of higher education.

Information on any sex offender who works for, attends, or lives on property owned by SWOSU can be found at the SWOSU Campus Police Department, 100 Campus Drive, Weatherford, OK 73096. You may also search at <https://sors.doc.state.ok.us/svor/f?p=119:1>

PROCEDURES FOR REPORTING A CRIME OR EMERGENCY

Crime Reporting

Crime victims and witnesses to a crime, regardless of the crime, are encouraged to promptly report incidents to the SWOSU Campus Police Department or other appropriate police agencies. To report a crime, the victim, if he or she elects to, or witness needs only to call the police and a police officer will meet them to gather information. An official report will be made with copies available to the victim after a completed investigation. Each month, the number of incidents in each category of crime are counted and reported to the OSBI, which in turn provides the information to the FBI.

Each year, the FBI publishes a book of crime statistics, "Crime in the United States," which includes accurate accounting of the criminal incidents that occurred on the SWOSU Campus.

To report a crime in progress, dial 911, or call (580) 774-3111.

Confidential Crime Reporting

Confidential reporting of crimes is allowed at SWOSU. If, for a personal reason, a person does not wish to report an on-campus crime or suspected crime to the police, that person may anonymously report it by reporting it online at:

<http://www.swosu.edu/administration/police/docs/crime-incident-form.pdf>

Crimes Disclosed to Pastoral or Mental Health Counselor

To be exempt from disclosing reported offenses to appropriate SWOSU officials, a pastoral or mental health counselor must be acting in their role as a pastoral or professional counselor. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to the police.

A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A mental health counselor is a person whose official responsibility includes providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition also applies to professional counselors who are not employees of the institution but are under contract to provide counseling to the institution.

Note that the pastoral counselor or mental health counselor must report the crime to SWOSU Campus police for purposes of including the incident in the annual crime statistics only. Personal information will not be conveyed when making this disclosure unless the victim consents to such disclosure.

Crimes in Progress

To report a crime in progress, a person, victim or witness can dial 911 or (580) 774-3111. Any reporting method will stimulate the response of police, fire, ambulance or other first responders. In addition, the victim of a serious crime can request support personnel, such as ministers and rape crisis or domestic violence counselors, during or after reporting the incident.

Additionally, crime victims may be eligible for funds through victims' compensation laws administered by the local district attorney's office. Prompt reporting of criminal activity to the police enables a quick response, a timely warning, and a safer campus for everyone.

If you are the victim of a crime or a witness to one, you should do the following:

Call the police immediately: Dial 911 for emergencies or call (580) 774-3111 or ext. 3111

Obtain a description: Attempt to obtain a description of the offender(s), including gender, age, race, hair, clothing and distinguishing features. Also attempt to obtain a description and license number of any vehicle(s) involved. Note the direction of travel of any offender(s) or vehicle(s) and report these to the police.

Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident, and do not allow anyone in the crime area until police arrive.

CRIME DISCLOSURE

SWOSU policies and procedures require the publication of annual crime statistics. Included in this report are crimes reported to the SWOSU Campus Police Department and other campus officials, including SWOSU Residential Life, and Dean of Students, and local law enforcement. Crime statistics are collected by SWOSU Chief of Police or his/her designee and maintained at the SWOSU Campus Police Department.

The tables on page 21 (Campus Crime Report) comply with the Clery Act.

The crime and arrest statistics reported are those that occurred within the jurisdictional boundaries of campus. They do not include off-campus private housing, which are within the Weatherford Police Department jurisdiction. SWOSU does not report crime and arrest statistics for fraternities and sororities although they are within the jurisdictional boundaries of Weatherford. Crimes occurring on public property immediately adjacent to campus are also reported when available. Crime statistics concerning other locations are available at the Weatherford Police Department.

OBTAINING REPORTS

To request a copy of a report or ask other related questions, contact the SWOSU Campus Police Department at (580) 774-3111. Requests for incident reports or traffic crash reports by persons involved generally will be processed when the investigation is completed. SWOSU faculty, staff, and students are not charged for obtaining report copies when involved in the reported incident.

The SWOSU Campus Police Department is committed to complying with its obligations under the Freedom of Information Act (F.O.I.A.) without undue delay but realizes that under certain circumstances the release of records may have an impact on victims, witnesses and the integrity of investigations. If an investigation is ongoing and still open, a request for any related SWOSU Campus Police Department report may be denied and information of a personal nature will be withheld or redacted where the public disclosure of such information would constitute an invasion of privacy

SECURITY AND ACCESS TO CAMPUS FACILITIES

During business hours, SWOSU will be open to students, parents, staff, faculty, contractors, guests, and invitees. During non-business hours, access to all SWOSU facilities is by key, if issued, or by admittance via the SWOSU Campus Police or Residence Life staff. In the case of periods of extended closing, SWOSU will admit only those with prior written approval to all facilities.

Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. These facilities may be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean's Office, Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Directors of Facilities Management, Housing, Residence Life, SWOSU Campus Police, and Maintenance meet monthly to discuss issues of pressing concern.

MAINTENANCE OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. SWOSU Campus Police officers regularly patrol and report malfunctioning lights and other unsafe physical conditions to Physical Plant for correction. Other members of the SWOSU community are helpful when they report equipment problems to the SWOSU Campus Police Department at (580) 774-3111 or Physical Plant at (580) 774-3788.

OFF-CAMPUS CRIME

If WPD is contacted about criminal activity occurring off-campus involving a member of the SWOSU community, the Weatherford Police Department may notify the SWOSU Campus Police Department. However, there is no official policy requiring such notification. There are no officially recognized student organizations with off-campus locations.

DEFINITION OF TERMS FOR STATISTICAL CHARTS

The charts setting forth statistical data on reported crimes include the following terms.

Campus: Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in the direct support of, or related to, its educational purpose.

Clery Geography: Buildings and property that are part of the institution's campus; the institution's non-campus buildings and property; and public property within or immediately adjacent to and accessible from the campus.

Campus-Housing (Residential): Any facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Other: Any non-residential area on campus.

Non-Campus Building or Property: Buildings or property owned or controlled by a student organization, such as a fraternity or sorority, recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is used by students and is not within the same reasonable contiguous geographical area of the institution

Public Property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, street or other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution, if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

CRIME DEFINITIONS

The following definitions are those used in the Uniform Crime Reporting System of the United States Department of Justice's Federal Bureau of Investigation. Definitions under Oklahoma law can be found in appendix A.

Aggravated Assault: An unlawful attack of one person by another for inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon, date rape drugs or means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.

Arson: Any willful or malicious attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property of another. Only fires determined to have been willfully or maliciously set are classified as arson.

Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with the intent to commit a larceny or felony; breaking and entering with the intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Murder and Non-negligent manslaughter: The willful (negligent or non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm with threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

- Pocket picking: The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.
- Purse snatching: The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- Theft from Building: A theft from within a building, which is either open to the public or where the offender has legal access.
- Theft from Coin Operated Machine or Device: A theft from a machine or device, which is operated or activated by the use of coins.
- Theft from Motor Vehicle (Except "Theft of Motor Vehicle Parts or Accessories"): The theft of articles from a motor vehicle, whether locked or unlocked.
- Theft of Motor Vehicle Parts or Accessories: The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.
- All Other Larceny: All thefts, which do not fit any of the definitions of the specific subcategories of Larceny/Theft, listed above.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. Classified as motor vehicle theft are all cases where persons not having lawful access even though the vehicles are later taken automobiles abandoned, including joyriding.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape, defined as follows:

- Rape means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- Incest means non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory *Rape* means non-forcible sexual intercourse with a person who is under the statutory age of consent (age 16).

Consent:

Consent is:

- informed;
- freely and actively given;
- mutually understandable words or actions;
- indicates a willingness to participate in mutually agreed upon sexual activity.

Consent cannot be:

Given by an individual who:

- is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason,
- is under duress, threat, coercion or force;

Inferred under circumstances in which consent is not clear including, but not limited to:

- the absence of an individual saying "no" or "stop",
- the existence of a prior or current relationship or sexual activity.

Violence Against Women Act (VAWA) (See also, *Sexual Misconduct above*): In accordance with the Violence Against Women Act, statistics on domestic violence, dating violence, and stalking are reportable under the Clery Act. Upcoming federal regulations will further define these terms, but the following definitions are used in good faith compliance with applicable laws:

Domestic Violence: Domestic violence is a felony or misdemeanor crime of violence committed by a:

- current or former spouse or intimate partner of the victim,
- person with whom the victim shares a child in common,
- person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner,

- person similarly situated to a spouse of the victim under the domestic or family violence laws of Oklahoma,
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Oklahoma.

Domestic Violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.

Dating Violence: Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

Stalking: Stalking refers to one who engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Drug Law Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, Methadone), and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crimes: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all

attempts to commit any of the aforementioned. Drunkenness and driving under the influence are not included in this definition.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; and all attempts to commit any of the aforementioned. SWOSU policy prohibits deadly weapons on campus with limited exceptions. . In accordance with state law, no one other than a commissioned law enforcement officer may carry firearms on campus. Firearms on campus must be stored at the SWOSU Campus Police Department.

CRIME STATISTICS

KNOWN CRIMINAL OFFENSES					
OFFENSES	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON- CAMPUS STUDENT HOUSING FACILITIES	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
CRIMINAL HOMICIDE: MURDER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
NON-NEGLIGENT MANSLAUGHTER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
SEXUAL ASSAULT: RAPE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	1	0	0	0
FONDLING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	1	1	0	0
INCEST	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
STATUTORY RAPE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ROBBERY:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
AGGRAVATED ASSAULT:	2015-2016	0	0	0	0
	2016-2017	1	0	0	0
	2017-2018	0	0	0	0
BURGLARY:	2015-2016	0	0	0	0
	2016-2017	2	0	0	0
	2017-2018	0	0	0	0
MOTOR VEHICLE THEFT:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ARSON:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0

KNOWN HATE CRIMES					
OFFENSES	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
CRIMINAL HOMICIDE: MURDER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
NON-NEGLIGENT MANSLAUGHTER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
SEXUAL ASSAULT: RAPE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
FONDLING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
INCEST	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
STATUTORY RAPE	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ROBBERY:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
AGGRAVATED ASSAULT:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
SIMPLE ASSAULT:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
BURGLARY:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
LARCENY/THEFT:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
VANDALISM/DESTRUCTION/DAMAGE OF PROPERTY:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
MOTOR VEHICLE THEFT:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ARSON:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
INTIMIDATION:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
HATE CRIMES: (RA) RACE, (RE) RELIGION, (SO) SEXUAL ORIENTATION, (GE) GENDER, (GI) GENDER IDENTITY					
(DI) DISABILITY, (EN) ETHNICITY/NATIONAL ORIGIN					

KNOWN VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES					
OFFENSES	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON- CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
DATING VIOLENCE:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
STALKING:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	GEOGRAPHIC LOCATION				
	YEAR	ON-CAMPUS PROPERTY	ON- CAMPUS STUDENT HOUSING FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS WEAPONS:	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
CARRYING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
POSSESSING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
OTHER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2015-2016	0	0	0	0
	2016-2017	0	0	3	3
	2017-2018	0	0	0	4
ARRESTS: LIQUOR LAW VIOLATIONS	2015-2016	1	0	0	0
	2016-2017	1	0	3	0
	2017-2018	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
CARRYING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
POSSESSING	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
OTHER	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015-2016	0	0	0	0
	2016-2017	0	0	0	0
	2017-2018	1	0	0	7
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2015-2016	0	0	0	0
	2016-2017	3	0	0	0
	2017-2018	0	0	0	0

ALCOHOL AND DRUG POLICIES

SWOSU seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety and welfare of its students, faculty staff and visitors. These participants are expected to know and follow the applicable laws and all SWOSU rules and regulations. Each person is responsible for his/her own behavior. The SWOSU enforces compliance with state law and alcoholic beverage laws on campus and at SWOSU-sponsored activities.

SWOSU recognizes that drug and alcohol abuse diminish the integrity of the institution and erodes the strength and vitality of its human resources. Faculty and staff are expected to be in suitable mental and physical condition able to perform their assigned duties satisfactorily. It is the intent of SWOSU to educate students, staff and faculty about the dangers of drug and alcohol abuse and to discourage the illegal possession and distribution of drugs and alcohol.

Accordingly, SWOSU adopts the following policy: The unlawful possession, use or distribution of illicit drugs and alcohol by students, and employees on SWOSU property, or as a part of any SWOSU student sponsored activity, is strictly prohibited. All students, staff and faculty must abide by this policy as a condition of enrollment or employment. Continuance of employment or enrollment following receipt of this policy constitutes acceptance of this policy by the, employee or student. Sanctions will be imposed for violation of this policy. Employees are required to notify SWOSU Human Resources of any state or federal drug statute conviction for a violation occurring on SWOSU campus no later than five (5) days after conviction. Students are required to notify the Dean of Students within the same period.

Student Policies: The University enforces all state laws regarding the possession, use, and sale of alcoholic beverages, including those prohibiting the consumption of alcoholic beverage to persons under the age of 21. Unlawful use, sale, possession, distribution, or being under the influence or association with narcotics, drugs, marijuana, hallucinogens, or other dangerous drugs while on or off campus. Drinking, being in possession of, or under the influence of alcoholic beverages on the campus or at university sponsored events off the campus. Confiscated liquor and beer will not be returned to those persons from whom it was seized. All beverages, which are confiscated, will be destroyed pending resolution of any legal action taken against parties in possession of the alcohol. Possession of any form of illegal contraband and paraphernalia, which is usually associated with the use of narcotics and/or dangerous drugs. The consumption or possession of alcoholic beverages or illegal narcotics in any form on the campus, in university housing or at any event sponsored by or for a student organization or other university sponsored activity for students, is forbidden. Rooms in the residence halls may not be decorated with alcoholic beverage containers. Any advertisement which promotes the use, purchase, or giveaway of drugs, including alcohol, in university supported publications, flyers, or hand.

University Sanctions

Under Federal Regulations, SWOSU must impose sanctions for violations of its Drug-Free Schools Policy. SWOSU sanctions include, but are not limited to reprimand, restriction of activities, conduct probation, administrative leave, expulsion, and termination of employment. Administrative sanctions shall be imposed immediately or within 30 days of notification or

awareness of the employee's workplace related criminal drug statute conviction. SWOSU may also require the completion of an approved rehabilitation program at the employee or student's expense. All disciplinary action will be taken in accordance with the applicable policies of SWOSU.

It is also within the discretion of SWOSU to refer any violations to the appropriate authorities for criminal prosecution. Local, state, and federal laws provide for a variety of legal sanctions for the unlawful possession and distribution of illegal drugs and alcohol. (See legal sanctions that includes detailed description of local, state, and federal law) Hence, sanctions include, but are not limited to, incarceration and monetary fines.

Violations of this policy shall result in University sanctions including, but not limited to:

Any student accused of a violation of the Student Code of Conduct for which he or she could be expelled, or for which his or her degree could be revoked, shall be entitled to an opportunity upon appeal to choose (A) an Administrative Hearing or (B) a hearing with the Committee on Student Conduct.

Warning: A formal warning will be a written notice documented in a disciplinary letter.

Specified Restrictions/Requirements: The imposing of specified restrictions, including but not limited to: letter of apology, presentation of a workshop, preparation of a research paper project, social probation, community service, assessment or evaluation, counseling, restitution for damages, punitive fines, eviction from residence halls, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate educational expectation.

Personal Probation: Personal probation is an informal probation. A second violation means that disciplinary action will be based on both charges.

Conduct Probation: Conduct probation is a formal probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's disciplinary file and the disciplinary hold on his or her record is removed at the discretion of the DOS.

Suspension Delayed: Suspension Delayed is an agreement between the student and DOS that a future violation of the student code of conduct or failure to comply with sanctions will result in immediate suspension. The Committee on Student Conduct may also issue this sanction.

Temporary Suspension: A student may be suspended from the University without a hearing when there is an immediate and present danger of damage to life, property or disruption of university life. Such an administrative decision will be effective immediately.

Suspension/Indefinite Suspension: A student may be suspended for reasons of conduct for a defined period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of the suspension.

Expulsion: When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the University.

Degree Revocation: When a degree is revoked or credit rescinded, a record of this action will be made a part of the official record of the graduate or student in the Office of the Registrar.

Disciplinary Hold: A disciplinary hold may be placed on records of students who have been placed on conduct probation, suspension, or expulsion.

Student loans, grants, fellowships, teaching fellowships, or other means of financial assistance may be revoked or terminated for the unlawful manufacture, preparation, delivery, sale, offering for sale, barter, furnishing, give away, possession, control, use or administering of narcotic drugs, marijuana, barbiturates, or stimulants.

Students are required to abide by The Policy on Drug-Free Schools as a condition of enrollment. This policy states the illegal manufacture, distribution, possession of or use of illegal drugs on university property is strictly prohibited. Violation of this policy is considered a major offense and may result in expulsion from the University. Criminal charges or a conviction is not required for sanctions to be imposed.

SWOSU Campus Police enforces all state and federal laws concerning illegal drugs. Anyone apprehended by Campus Police in possession of, using, or selling drugs, will be apprehended. Students may additionally be charged under any existing university student disciplinary code.

Each new employee (student, staff, administrative or faculty) will receive a printed copy of the Drug Free School/Workplace on or before the first day of employment. A signed acknowledgment of receipt will be imaged in personnel file. Refusal, failure or neglect by any SWOSU employee to sign and return the written acknowledgment statement shall be deemed an act of insubordination and will subject the employee to appropriate disciplinary action.

Legal Sanctions:

1. Local, state, and federal laws provide for a variety of legal sanctions, both civil and criminal, for the unlawful possession and/or distribution of illegal drugs or alcohol. As an example of a civil penalty, 70 O.S. Section 624 provides that student loans, grants, fellowships, teaching fellowships, or other means of financial assistance may be revoked or terminated for the unlawful manufacture, preparation, delivery, sale, offering for sale, barter, furnishing, giving away, possession, control, use or administering of narcotic drugs, marijuana, barbiturates, or stimulants. The cities of Weatherford and Sayre follow state and federal guidelines.
2. Federal:

DRUGS OF ABUSE 2011 EDITION: *a DEA Resource Guide*

FEDERAL TRAFFICKING PENALTIES

Drug Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule!!)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 4.0 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture 280 gms or more mixture	First Offense: Not less than 10 yrs, and not more than life: If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28-279 gms mixture		400 gms or more mixture 100 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		1 kg or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		10 gms or more mixture	
Heroin (Schedule 1)	100 - 999 gms mixture	Second Offense: Not less than 10 yrs., and not more than life. If death or serious injury, life imprisonment. Fine of not <i>more</i> than \$8 million if an individual, \$50 million if not an individual.	50 gms or more pure or 500 gms or more mixture	Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual 2 or More Prior Offenses: Life imprisonment.
LSD (Schedule I)	1 - 9 gms mixture		100 gm or more pure or 1 kg or more mixture	
Methamphetamine (Schedule!!)	5 - 49 gms pure or			
	50 - 499 gms mixture			
	10- 99 gms pure or			
PCP (Schedule II)	100 - 999 gms mixture			

Penalties	
Other Schedule I & II - Any amount drugs (and any drug product containing Gamma Hydroxybutyric Acid)	<p>First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, %5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious injury, riot more than 15 yrs. Fine \$2 million if an individual, \$10 million if not an individual.</p>
Other Schedule III drugs - Any amount	<p>First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine rot more than \$1.5 million if an individual, \$5 million if not an individual.</p>
All other Schedule IV drugs Any amount Flunitrazepam (Schedule IV) Less than 1 gm	<p>First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual,\$2 million if not an individual</p>
All Schedule V drugs Any amount	<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

FEDERAL TRAFFICKING PENALTIES MARIJUANA

Drug	Quantity	1 st Offense	2 nd Offense
Marijuana (Schedule 1)	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$4 million if an individual, \$10 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 20 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana (Schedule I)	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> • Not less than 5 years, not more than 40 years • If death or serious injury, not less than 20 years, not more than life • Fine not more than \$2 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not less than 10 years, not more than life • If death or serious injury, mandatory life • Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana (Schedule I)	<p>More than 10 kgs hashish; 50 to 99 kg mixture</p> <p>More than 1 kg of hashish oil; 50 to 99 plants</p>	<ul style="list-style-type: none"> • Not more than 20 years • If death or serious injury, not less than 20 years, not more than life • Fine \$1 million if an individual, \$5 million if other than an individual 	<ul style="list-style-type: none"> • Not more than 30 years • If death or serious injury, mandatory life • Fine \$2 million if an individual, \$10 million if other than individual
Marijuana (Schedule I) Hashish (Schedule I) Hashish Oil (Schedule I)	<p>1 to 49 plants; less than 50 kg</p> <p>10 kg or less</p> <p>1 kg or less</p>	<ul style="list-style-type: none"> • Not more than 5 years • Fine not more than \$250,000 \$1 million other than individual 	<ul style="list-style-type: none"> • Not more than 10 years • Fine \$500,000 if an individual, \$2 million if other than Individual

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and fine up to \$8 million if an individual and \$20 million if other than an individual.

Legal Sanctions by Oklahoma

<https://ifap.ed.gov/regcomps/attachments/86pg14-15.pdf>

<u>Legal Authority</u>	<u>Crime</u>	<u>Sanction Authority</u>	<u>Sanctions</u>
Title 37 O.S. § 8	Consumption or Inhalation of intoxicants in Public Places	37 O.S. § 8	Misdemeanor (M). \$10- 100 fine and/or 5-30 days imprisonment
Title 10A O.S. § 2-8-222	Intoxicating Beverages-Possession by Person Under Age 21 - Unlawful	10A O.S. § 2-8-233	(M) Up to \$100 fine and/or 5-30 days imprisonment
Title 21 O.S. § 1220	Transporting Open Containers of Intoxicating Beverages or Low Point Beer	37 O.S. § 56621 O.S. 1220 (B)	(M) Up to \$500 fine and/or up to 6 mo. Imprisonment, plus \$100 special assessment fee
Title 37 O.S. § 537	Includes Unlawfully Consuming Liquor in Public, Transporting Open Container – Liquor, and Forcibly Resisting Arrest	37 O.S. § 566Penalty undisclosed, but § 566 catch all, applicable when no penalty specified	(M) Up to \$500 fine and/or up to 6 mo. imprisonment
Title 37 O.S. § 538 (E)	Person under 21 presenting false identification	37 O.S. § 538 (E)	(M) Up to \$50 fine and suspension of license
Title 37 O.S. § 538 (F)	Knowingly (sell, give, furnish) alcohol to persons under 21	37 O.S. § 538 (F)	Felony (F). \$2500-5000 fine and/or up to 5 years imprisonment, plus revocation of license.
Title 37 O.S. § 246	Consumption by person under 21 in Public Place-Low Point Beer and other Intoxicating beverages	37 O.S. § 246	(M) Up to \$300 fine and/or up to 30 hours community service; may suspend license. Penalty doubles w/ 2 nd offense, triples w/ 3 rd offense
Title 47 O.S. § 11-902	Persons under the influence of alcohol or other intoxicating substances or combination thereof	47 O.S. § 11-902 (C)	1 st offense: (M) Up to \$1000 fine and 10 days to 1 year imprisonment2 nd offense within 10 years of 1 st : (F) treatment and/or 1-5 years imprisonment

HEALTH RISKS

- A. Alcohol and other drug use represent serious threats to health and the quality of life. Alcohol and other drug use increase the risk of accidents, birth defects, HIV/AIDS, and other disease. Health risks generally associated with alcohol and drug abuse can result in, but are not limited to, a lowered immune system, damage to critical nerve cells, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders. With most illicit drugs, it is probable that users will develop psychological and physical dependence.
- B. Specific health risks include:

Controlled Substances – Uses and Effects										
DRUGS CSA SCHEDULES	TRADE OR OTHER NAMES	MEDICAL USES	DEPENDENCE Physical Psychological		TOLERANCE	DURATION (Hours)	USUAL METHODS OF ADMINIS- TRATION	POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME
NARCOTICS										
Opium II III V	Dover's Powder, Paregoric, Parepectolin	Analgesic, Antidiarrheal	High	High	Yes	3-6	Oral, smoked	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea	Slow and shallow breathing, clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating
Morphine II III	Morphine, MS-Contin, Roxanol, Roxanol-SR	Analgesic, Antitussive	High	High	Yes	3-6	Oral, smoked, injected			
Codeine	Tylenol w/Codeine, Empirin w/Codeine, Robitussin A-C, Fiorinal w/Codeine	Analgesic, Antitussive	Moderate	Moderate	Yes	3-6	Oral, injected			
Heroin I	Diacetylmorphine, Horse, Smack	None	High	High	Yes	3-6	Injected, sniffed, smoked			
Hydromorphone II	Dilaudid	Analgesic	High	High	Yes	3-6	Oral, injected			
Meperidine (Pethidine) II	Demerol, Mepergan	Analgesic	High	High	Yes	3-6	Oral, injected			
Methadone II	Dolophine, Methadone, Methadose	Analgesic	High	High-Low	Yes	12-24	Oral, injected			
Other Narcotics I II III IV V	Numorphan, Percodan, Percocet, Tylox, Tussionex, Fentan2 yl, Darvon, Lomotil, Talwin	Analgesic, antidiarrheal, antitussive	High-Low	High-Low	Yes	Variable	Oral, injected			
DEPRESSANTS										
Chloral Hydrate IV	Noctec	Hypnotic	Moderate	Moderate	Yes	5-8	Oral	Slurred speech, disorienta- tion, drunken behavior without odor of alcohol	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma,	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Barbiturates II III IV	Amytal, Butisol, Florinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbital	Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasic agent	High- Mod.	High- Mod.	Yes	1-16	Oral			

Benzodiazepines IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxexa, Verstran, Versed, Halcion, Paxipam, Restoril	Antianxiety, anticonvulsant, sedative, hypnotic	Low	Low	Yes	4-8	Oral		possible death	
Methaqualone I	Quaalude	Sedative, hypnotic	High	High	Yes	4-8	Oral			
Glutethimide III	Doriden	Sedative, hypnotic	High	Moderate	Yes	4-8	Oral			
Other Depressants III IV	Equanil, Miltown, Noludar, Placidyl, Valmid	Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4-8	Oral			

STIMULANTS										
Cocaine II	Coke, Flake, Snow, Crack	Local anesthetic	Possible	High	Yes	1-2	Sniffed, smoked, injected	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	Agitation, increase in body temperature, hallucinations, convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamines II	Biphetamine, Delcobase, Desoxyn, Dexedrine, Obetrol	Attention deficit disorders, narcolepsy, weight control	Possible	High	Yes	2-4	Oral, injected			
Phenmetrazine II	Preludin	Weight control	Possible	High	Yes	2-4	Oral, injected			
Methylphenidate II	Ritalin	Attention deficit disorders, narcolepsy	Possible	Moderate	Yes	2-4	Oral, injected			
Other Stimulants III IV	Adipex, Cylert, Didrex, Ionamin, Mellat, Plagine, Sanorex, Tenuate, Taperul, Prelu-2	Weight control	Possible	High	Yes	2-4	Oral, injected			
HALLUCINOGENS										
LSD I	Acid, Microdot	None	None	Unknown	Yes	8-12	Oral	Illusions and hallucinations, poor perception of time and distance	Longer, more intense "trip" episodes, psychosis, possible death	Withdrawal syndrome not reported
Mescaline and Peyote I	Mexc, Buttons, Cactus	None	None	Unknown	Yes	8-12	Oral			
Amphetamine Variants I	2.5-DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	None	Unknown	Unknown	Yes	Variable	Oral, injected			
Phencyclidine II	PCP, Angel Dust, Hog	None	Unknown	High	Yes	Days	Smoked, oral, injected			
Phencyclidine Analogues I	PCE, PCPy, TCP	None	Unknown	High	Yes	Days	Smoked, oral, injected			
Other Hallucinogens I	Buloterine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	None	None	Unkn own	Possible	Variable	Smoked, oral, injected, sniffed			

CANNABIS										
Marijuana I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	None	Unknown	Moderate	Yes	2-4	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior	Fatigue, paranoia, possible psychosis	Insomnia, hyperactivity, and decreased appetite occasionally reported
Tetrahydrocannabinol I II	THC, Marinol	Cancer chemotherapy, antinauseant	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashis I	Hash	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
Hashish Oil I	Hash Oil	None	Unknown	Moderate	Yes	2-4	Smoked, oral			
<div><div>1</div><div>2</div></div> <div>Designated a narcotic under the GSA.</div> <div>Not designated a narcotic under the GSA.</div>										

- C. Further information concerning health risks may be found in the Student Health & Counseling Services. Individuals should also consult their personal physician about alcohol and drug-related health risks. Drug Enforcement Agency (DEA) provides Drug Fact Sheets which can be found on this website:
<http://www.dea.gov/druginfo/factsheets.shtml>

ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS

SWOSU has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

SWOSU provides access to SWOSU Employees' Assistance Program (EAP) that is free to all students, faculty and staff. EAP provides counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Assistance in locating an in or outpatient rehabilitation site is available through EAP. Additionally, health insurance benefited employees may contact BCBS (toll free number on back of their card) for preauthorization benefits to access in or outpatient treatment. Volunteer participation in or referrals to these services is confidential.

Those needing help or advice may also use the following hotline numbers:

SWOSU Counseling Service (EAP)	(580) 774-3776
SWOSU Department of Public Safety	(580) 774-3111
National Institute on Drug Abuse	(800) 662-HELP
National Alcohol & Drug Abuse Hotline	(800) 234-0420
Reach-Out Hotline	(800) 522-9054
Other resources include:	
Celebrate Recovery, Weatherford First Baptist Church, Monday's at 6:30p.m.	(580) 772-2771
Alcoholics Anonymous Referral Service:	(800) 711-6375
Narcotics Anonymous Referral Service:	(800) 711-6375

Any questions regarding the rules, regulations, and policies concerning the Drug-Free Schools or the Drug-Free Workplace standards of SWOSU may be referred to the Human Resources Office.

“Controlled dangerous substance,” means a drug, substance, or immediate precursor in Schedules I through V of the Uniform Controlled Dangerous Substances Act (63

O.S. Section 2-101 et seq.). Also referred to as “illegal drugs” or alcohol, which includes alcoholic beverages or low-point beer.

Legal Citation: H.R. 3614 – Drug-Free Schools and Communities Act Amendments of 1989
Revised and Effective: March 30, 2017

SWOSU Health Services provides an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

Alcohol and Drug Education: SWOSU Health Services, Employee Assistance Program, University Health Class.

Counseling and Rehabilitation: SWOSU provides access to SWOSU Employees' Assistance Program and Counseling Services for counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Volunteer participation in or referrals to these services is confidential.

Referral Services: Student Development Counselors, Campus Nurse, Employee Assistance Program.

University Disciplinary Actions: Faculty/Student Judicial Review Committee. Director of Student Development.

Local, State & Federal Legal Sanctions Legal Sanctions – Laws Governing Alcohol

The State of Oklahoma sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the SWOSU Campus Police.

A violation of any law regarding alcohol is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

PREVENTION OF ALCOHOL ABUSE AND DRUG USE

The University recognizes its responsibility as an educational and public service institution to promote a healthy and productive work environment. This responsibility demands implementation of programs and services, which facilitate that effort. The University is committed to a program to prevent the abuse of alcohol and the illegal use of drugs and alcohol by its students and employees.

1. The University provides Employee's Assistance Program (EAP) that is free to all students, faculty, and staff. EAP provides counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Assistance in locating an in or outpatient rehabilitation site is available through EAP. Voluntary participation in or referral to these services is strictly confidential.
2. Information concerning health and risks of drugs and alcohol can be found at the Student Health & Counseling Services. Individuals should consult their physician about alcohol and drug-related health risks (*Drug-Free Schools/Workplace Policy Statement* includes hotline numbers and a list of alcohol and drug treatment services).

Alcohol Abuse and Drug Use Prevention Activities

Dean of Students-Student Affairs

- a. Application for Approval of Student Organization Activity includes statement, "no one is permitted to bring alcoholic beverages on campus; this includes members of dance bands. Violations may result in disciplinary action for students and the sponsoring organization and/or breach of contract and termination of the band. ALL SWOSU events are alcohol and drug free."
- b. Campus Safety Month is campus-wide event that addresses the dangers of drugs and alcohol. The focus emphasizes healthy decisions, treatment, and strategies to avoid harmful behavior.
- c. Smart Choices Week is a campus-wide and NCAAW event demonstrating impaired driving and prevention strategies.
- d. Bacchus Month is a drug and alcohol prevention education program with information tables and seminars. The activity is promoted by NASPA.
- e. Safe Spring Break promotion week is a campus-wide event that highlights substance issues and strategies to avoid drugs and alcohol during spring break.
- f. AOD free/My Online Life are high school assemblies co-led by SWOSU students and the Dean of Students.
- g. Public Announcements and Education is an ongoing university service that provides drug free t-shirts, posters, brochures, and alcohol and drug prevention and intervention information made available across campus and in residence halls and restrooms.

Residence Life and Housing

- a. The mission statement of Residence Life and Housing states that the unit "is committed to creating and sustaining a cooperative living environment for residents, which fosters learning and personal growth while providing a cultural climate focusing on social interaction, relationship development, and the needs of all individuals."

- b. All on-campus activities, programming, and education efforts engage residents in an environment void of alcohol and drugs to provide a safe and healthy alternative.
- c. Activities include: Tailgating/Cook-off Challenge, Residence-Life Movie Series, Back to School Bash/Video DJ Dance.
- d. Residence Life Staff Training: staff members attend a weeklong training at the beginning of the fall semester and a two-day training in the spring semester that covers leadership, peer mentoring, mental health and wellness training, safety and security, policy enforcement, programming, confrontation and conflict resolution, live action scenarios, and alcohol and drug prevention and intervention.
- e. J-Board is a seven-member board, plus one advisor, which maintains the standards of the University and community living. J-Board adjudicates the majority of all incidents occurring within the residential facilities as well as make referrals to the Dean of Students or Campus Police.
- f. Information Policy Meetings: students are required to attend an information policy meeting during the beginning of each semester and sign a statement that they have read and will follow university policies including the Campus Drug-Free policies.

New Student Orientation

- a. Required attendance at two Drug-Free Campus university-sponsored events.
- b. During Freshman Orientation course, Campus Police provide an interactive drug-free education focusing on alcohol poisoning, warning signs and responses to alcohol-induced medical emergencies, and the use of alcohol and drug impairment with simulation goggles.
- c. The SWOSU Student Handbook is reviewed during Freshman Orientation course. Campus Drug-Free policies are reviewed and discussed.

Health and Counseling Services

- a. Wellness Fair is an annual Health Fair, which is held in the Student Union, booths are manned by campus, community resources related to physical/behavioral health and wellness, written materials are distributed to faculty, staff, and students with numerous booths targeting drug, and alcohol use and the risks involved.
- b. Individual and group counseling is offered at no charge.
- c. Campus-wide drug and alcohol education and intervention is provided for campus personnel and students.
- d. 3rd Millennium online programming *Alcohol 101* and *Marijuana 101* are available for students to view.
- e. Intake interview questions include drug and alcohol risk questions.

- f. Referrals are made for intensive services for employees and students including alcohol and drug treatment through Health services and the CERT (Campus Evaluation Response Team) team.

Academic Programs

- a. College of Pharmacy includes additional Drug-Free policies. They complement the university policies and adhere to requirements set forth by the Accreditation Council for Pharmacy Education.
- b. The Radiology program in the College of Associate and Applied Sciences includes additional Drug-Free policies. They complement the university policies and adhere to requirements set forth by the Joint Review Committee on Education in Radiologic Technology.
- c. The CLEET program includes additional Drug-Free policies. They complement the university policies and adhere to requirements set forth by the Oklahoma Council on Law Enforcement Education and Training.

Human Resources

- a. Blue Cross and Blue Shield provides Drug-Free education as well as health risks related to abuse.
- b. Employees are offered a health assessment annually.
- c. Well on Target is an online health assessment for employees with 9 modules that include alcohol, drug, and tobacco assessment.
- d. Life Times newsletter emphasizes healthy living strategies and practices.
- e. Wellness fair is provided annually that include blood screening for liver enzyme.
- f. Employees are provided the Drug Free School and Workplace brochure.
- g. Employees complete the University Policy Review, which requires Acknowledgement of Understanding and Compliance agreement by signature.
- h. New employee training includes Drug-Free School and Workforce training and brochure.
- i. 10 Things You Need to Know about Sexual Assault for Men and Women is made available in campus restrooms and includes risks related to drugs, alcohol, and sexual assault.
- j. Title IX Training is offered annually and includes drug-free curriculum.

Campus Police

- a. Fall freshman Orientation course Drug-Free educational program that includes alcohol poisoning, adverse effects of alcohol, criminal penalties, job and career penalties from drinking, and addiction resources.
- b. Drug-Free Tailgating, Palooza, Rodeo, and ballgames and events on campus.
- c. Assist with mental health/emergency detentions.
- d. Drug-Free pamphlets on substance abuse and treatment.

Athletics

- a. Bulldog Pride Night focuses on drug-free behavior, team spirit, and promoting student-athlete success.
- b. Service projects are implemented by athletic teams they include elementary reading program, clean-up Weatherford, and team specific service projects. They emphasize the importance of civic engagement, professionalism, and health lifestyles.
- c. Positive results from random drug tests required of student athletes lead to implementation of campus sanctions, drug and alcohol counseling, and referral to student health services.
- d. Drug-Free Education is provided through guest speakers, pamphlets, and posters.
- e. Athletic staff attended the Apple Conference to learn more about how to develop plans to develop healthy lifestyles and AOD abuse.

Distribution of Annual Drug and Alcohol Abuse Prevention Program Notifications

All current students (enrolled for any type of academic credit except continuing education units) and all current employees will receive an annual reminder of SWOSU's Drug Free Schools and Workplace Policy.

Students: The annual notice of Drug Free Schools and Workplace will be distributed by email to all students on the Weatherford and Sayre campuses. Documentation lists of students receiving email will be retained. SWOSU Public Relations & Marketing will distribute the email to all students. Public Relations & Marketing will send documentation list to the Vice President for Student Affairs and Associate Provost.

This annual notice will be distributed with the Cleary Act notification on or before October 1 of each year.

Employees: The annual notice of Drug Free Schools and Workplace will be distributed by email to all employees on the Weatherford and Sayre campuses who generally work with computers on a daily basis. Otherwise, employees who do not have access to a computer will

receive a hard copy provided to each supervisor to distribute in respective departments (Physical Plant, Food Services, etc.). Documentation lists of employees receiving email and regular mail copies will be retained. SWOSU Human Resources will distribute the email to all employees. Human Resources will retain a distribution list.

This annual notice will be distributed with the Cleary Act notification on or before October 1 of each year.

All new employees are given a copy of the Drug Free Workplace Policy on or before their first day of employment. A signed receipt is imaged in their personnel file. In addition, this policy is addressed at each new employee and faculty orientation.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT

Southwestern Oklahoma State University

Weatherford and Sayre Campuses

2016 BIENNIAL REVIEW

For full 2016 Biennial Review Report: <https://www.swosu.edu/administration/shs/docs/2016-drug-free-schools-communities-act-biennial-review-a.pdf>

The Drug-Free Schools and Campuses Regulations require an institution of higher education to conduct a biennial review of its program to determine its effectiveness, implement changes if needed, and to ensure that the sanctions are enforced consistently.

Southwestern Oklahoma State University (SWOSU), a member of the Regional University System of Oklahoma, after consultation with students, faculty, and staff, developed a policy as required by the Drug-Free Schools and Communities Act Amendments of 1989.

Southwestern Oklahoma State University recognizes that drug and alcohol abuse diminish the integrity of the institution and erodes the strength and vitality of its human resources.

Employees are expected to be in suitable, mental, and physical condition able to perform their assigned duties satisfactorily. It is the intent of SWOSU to educate students and employees about the dangers of drug and alcohol abuse and to discourage the illegal possession and distribution of drugs and alcohol.

The objectives of the biennial review as identified by the U.S. Department of Education include determining the effectiveness and consistency of policy enforcement and to identify and implement any changes needed to AOD (Alcohol and Other Drug) policies and/or prevention program, and to ensure that the University enforces the disciplinary sanctions for violating standards of conduct consistently. The review is completed to ensure compliance with the Code of Federal Regulations, 34 CFR Part 86, or the Drug-Free Schools and Communities Act.

Overall University Prevention Program Activities

Drug-Free Student Activities-687

Drug-Free Student and Employee Educational Activities-70

Total Activities-757

Prevention Program Results University Findings

1. A decrease in positive drug testing results from 2014-15 to 2015-16 for the Department of Athletics.
2. An increase in Drug-Free Prevention high school events, totaling 32 events in Oklahoma and Texas. Four college students assisted with high school prevention programs.
3. Over 1000 freshmen annually receive Drug-Free information and participate in AOD interactive discussions.
4. Residence life provided 250 university drug-free activities promoting social and physical well-being.
5. 79 or 75% of new staff and administrators attended Drug Free School and Workplace training.
6. 20 front-line supervisors attended Drug Free School and Workplace training.
7. 2,227 students, faculty, staff, administrators, part-time employees, and graduate assistants completed Title IX and AOD information training.

Assessment, Unit Analysis, and Data Collection

The University developed a Multi-Unit Case Study Analysis review process. Four self-study documents were developed, and subsequently completed by each university unit involved in AOD education or adjudication. The units include: Student Affairs, Residence Life and Housing, New Student Orientation, Health and Counseling Services, Academic Programs, Human Resources, Campus Police, and Athletics.

The four self-study documents completed by university faculty and staff included a Violations and Sanctions Inventory, Prevention Program Activities Inventory, Drug-Free Policy Review Inventory, and Prevention Program Strengths and Weakness Inventory. University personnel reviewed Drug-Free prevention services, policies, violations, and sanctions as well as the number of activities, violations, and types of sanctions implemented during the review cycle from September 1, 2014 to August 30, 2016.

The faculty and staff rated the level of effectiveness for each unit reviewed. Ratings were analyzed for the Prevention Program, Drug-Free Policies, and consistency of sanctions imposed. Prevention activities, policies, and consistency of sanctions imposed were evaluated on a scale from minimal effectiveness (score of 1), moderate effectiveness (score

of 2), and up to maximum effectiveness (score of 3). Faculty and staff were provided case study analysis training in order to complete the review forms and effectiveness rating tables.

The Biennial Review Committee participated in a focus group to address the strengths and challenges of the University Drug-Free Prevention Program, and to review the rating categories. Based on the results of the case study review, strengths and recommendations, and university analysis, the Biennial Review Committee identified modifications that would advance the effectiveness of the Drug-Free Prevention Program.

University Action Plan: Strengths and Recommendations for Evaluation/Implementation

Prevention Program Strengths

1. Ongoing random drug testing in the Department of Athletics.
2. University distribution of quality drug-free education material.
3. University provides AOD education for new faculty, staff and student employees.
4. University provides ongoing online AOD and Title IX training for students, new faculty, resident assistants, and orientation leaders.
5. University provides free counseling and health services as well as community and regionally based referral services for drug and alcohol assessment and treatment.
6. Employees complete annually online training for AOD and Title IX training.
7. The University engages in ongoing campus collaboration to identify needs of faculty, staff, and students and promotes the Drug-Free Prevention Program.
8. Residence life provides mandatory policy information meetings for students living in dormitories.
9. Campus Police are available 24/7 for students and campus personnel.

Drug-Free Prevention Program Effectiveness Rating

<u>EVALUATION CATEGORY</u>	<u>RATING</u> <small>1-minimal, 2-moderate, 3-maximum effectiveness</small>
Consistency of Sanctions Enforced	2.5
Prevention Activities	2.33
Policy Application	2.2
University Prevention Program	2.34

Evidentiary analysis and evaluation of program effectiveness reveals that the university AOD Prevention Program is effectively achieving university goals and outcomes including:

- Increasing campus knowledge and awareness of healthy drug-free lifestyle.
- Increasing campus awareness of AOD activities and services.
- Increasing consistency of policy application across all units.
- Decreasing student violations and drug related incidents.

University Prevention Program Recommendations and Modifications

1. Establishment of an Executive Compliance Committee. This committee will ensure consistency in the implementation of the Drug-Free Prevention Program and annual review as well as the completion of the Biennial Report. Effective: Spring 2017.
2. Development of a campus-wide assessment tool to assess the positive impact and effectiveness of Drug-Free educational events. Effective: Spring 2018

Executive Compliance Committee will review campus-wide survey instruments and submit selection to the SWOSU Assessment Center during March 2018.

1. Purchase and implement the “Check Me In” cube for card swipe entry into events. The tool will provide accurate records of attendance for student, faculty, and staff. Effective: Fall 2017.
2. Development of a page on the SWOSU website to include compliance information and general information to employees. This page will include the Biennial Reviews and other compliance reports, as well as general information and directions to students and employees about where to go for help. Effective: Spring 2017.
3. Implementation of a policy directing that all AOD student sanctions imposed by any unit will be reported centrally to the Dean of Students to improve and streamline the tracking of sanctions for consistency. Effective: Spring 2017.

Unit Prevention Program Recommendations and Modifications

1. Provide Drug-Free Program educational training annually for athletic coaches and graduate assistants. Effective: Fall 2017. Training will be provided by the Assistant Athletic Director for Compliance and Human Resources.
2. Design an AOD training program for transfer and international students. Effective: Fall 2018 (training will be included in new 3 hour General Education Orientation Course – face-to-face and online).

Biennial Review Policy and Procedure

SWOSU in compliance with the Drug Free Schools and Campuses Regulations (EDGAR Part will adopt the following policies and procedures ensuring completion of a Drug Free School and Workplace biennial review.

An Executive Compliance Committee sanctioned and authorized by the President of the University will be formed as of April 2017 to review Drug Free Schools and Workplace. All departments involved with the Drug Free Schools and Workplace will meet at least once a year in September with the Executive Compliance Committee. This time will be used to highlight and discuss progress on goals as a result of the previous biennial review and discuss completion of the next biennial review.

The Drug Free School and Workplace biennial review will be completed by November 1 of each even numbered year for the previous September through August two year period. For example: the biennial review period of September 1, 2016 through August 31, 2018 will be completed by November 1, 2018. The Vice President for Student Affairs and Associate Provost will coordinate and compile all materials and review of the Biennial Report.

Identified departments will be notified in spring of each year to gather all needed materials used during the year related to Drug Free Schools and Workplace. These documents will be provided for the biennial review and used to evaluate program/policy efficiency.

Contents of the Biennial Review will include:

1. Reviewing the Alcohol and Other Drugs (AOD) Prevention Program
 - a. Program Inventory
 - b. Policy Inventory
 - c. Consistency of violations and sanctions Statement of AOD program goals and a discussion of goal achievement Summaries of AOD program strengths and weaknesses
2. Procedures for distributing annual AOD notification to students and employees
3. Copies of the policies distributed to students and employees
4. Recommendations for revising AOD programs
5. Measuring enforcement consistency

LOST AND FOUND

The SWOSU Campus Police Department Lost and Found is located at the SE corner of State and College. Additionally, there are lost and found areas located in the Stafford Building Room 214. After a certain period of time, all buildings and officers are encouraged to forward any found items to the SWOSU Dean of Students Office to maintain a central location for persons seeking lost property.

SWOSU Campus Police Department items will be stored in the campus police storage area for a period of one year. After good faith efforts to locate the owner and the time limits have expired, the items will be sold or destroyed. Inquiries about lost and found property can be made by calling (580) 774-3111.

DISCIPLINARY PROCEEDINGS

Anyone can report any instances of sexual harassment and sexual violence, as well as other crimes or violations of the Student Code of Conduct, to the Dean of Students or at (580) 774-3767. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused are students, the incident will be addressed through the Student Conduct Process once a complaint is filed.

SWOSU strongly encourages individuals to report any instance of sexual harassment and sexual violence to the police.

Student Conduct Process

Violations of SWOSU's Student Code of Conduct are referred to the Dean of Students for investigation and adjudication. Students should refer to the Code, which is found in the Student Handbook.

Student Code of Conduct

SWOSU's basic standard of behavior requires a student (a) not violate any municipal, state, or federal laws, or (b) not interfere with or disrupt the orderly educational process of SWOSU. Any student violating either of these basic principles is violating the rules and regulations of SWOSU. A student is not entitled to greater immunities or privileges before the law than those privileges enjoyed by the citizens of the state of Oklahoma.

The University's authority is vested in the Oklahoma State Regents for Higher Education, the Regional University System of Oklahoma, and the President of Southwestern Oklahoma State University. The President of Southwestern Oklahoma State University delegates to the Vice President for Student Affairs or the Vice President's designees the authority to investigate potential or alleged violations of University regulations or law and to determine and administer appropriate penalties using a preponderance or weight of the evidence standard. This includes authority to control and regulate various aspects of student behavior through disciplinary means. Disciplinary authority and judicial latitude necessary to accomplish it are delegated to the Dean of Students' (DOS) Office. The objective of SWOSU is to provide an opportunity for education to all students. In order to achieve this objective, it is important to define standards of conduct or limits of behavior that will enable students to work together with the faculty, staff, and administration in a positive manner.

The enrollment of a student into SWOSU means that the student voluntarily assumes obligations of performance and behavior reasonably expected by the University. University rules and regulations are designed to insure optimal conditions for learning for all students. Standards of conduct for students are seen as a base or foundation of behavior rather than arbitrary limits of behavior.

The University's policies concerning students' behavior are an educational and rehabilitative approach. The former approach emphasizes assisting students to understand and accept responsibilities for their behavior. Both the interests of the student and the University are

taken into account in deciding the desirability of undertaking a program of rehabilitation within the University.

The Regional University System of Oklahoma (RUSO) adopted the following disciplinary regulations and administrative procedures. Additional changes become effective upon their adoption by RUSO.

Prohibited Activities Defined

Misconduct is considered a matter of concern to the University. Reports of misconduct in violation of university regulations usually are made in the first instance to the Office of DOS for investigation. The DOS will then determine appropriate action, if any. The following actions, among others, are specifically prohibited by SWOSU:

- Classroom misconduct including disruption of classes by any means. (Faculty members are authorized to dismiss disorderly students from classes pending other action. It shall be a further offense for any student not to leave a classroom when told to do so by a faculty member.)
- Dating Violence defined as abusive and aggressive behavior in a romantic relationship. It can include verbal, emotional, physical, or sexual abuse, or a combination of them. Dating relationship is determined by the length of the relationship, type of relationship and frequency of interaction between partners.
- Defacement by writing, drawing, or marking of any kind upon any permanent interior or exterior wall, sign, or similar vertical surface, in any medium, including chalk, paint, felt marker, etc., or any writing, drawing or marking of any kind in any medium, upon any sidewalk, wall, patio, terrace, or street, except as authorized.
- Dishonesty, such as cheating, violating the integrity of examinations, plagiarism, or knowingly furnishing false information to the University or staff.
- Disorderly conduct, lewd, indecent, or obscene conduct, dress, or expression on university owned or controlled property, or at a university sponsored or supervised function.
- Domestic Violence defined as the willful intimidation, assault, battery, sexual assault or other abusive behavior perpetrated by one family member, household member, or intimate partner against another. It may include physical, sexual, emotional, economic or psychological abuse.
- Drinking, being in possession of, or under the influence of alcoholic beverages on the campus or at university-sponsored events off the campus. Confiscated liquor and beer will not be returned to those persons from whom it was seized. All beverages, which are confiscated, will be destroyed pending resolution of any legal action taken against parties in possession of the alcohol.

- Failure or refusal to comply with directions of university officials, faculty, or staff acting in the performance of their duties, including directions to leave classroom or university premises.
- Failure to make satisfactory settlement of university indebtedness.
- Forgery, alteration, destruction, damage, or misuse of official University documents, records, identification cards, or devices.
- Gambling.
- General misconduct that adversely affects the student's suitability as a member of the university community such as commission of crimes, inciting disorders, peace disturbances, disorderly conduct, and all acts that recklessly endanger others.
- Hazing, or endangering or unlawfully harassing others.
- Intentional misuse, mutilation or defacement of institution-owned property including fire alarms, fire equipment, elevators, and library materials.
- Interference by any means, directly or indirectly, with functions or activities of the University or with its educational or service programs, either by breach of peace, force, violence, noise disturbance, disorderly conduct, physical obstruction, or unauthorized occupation of premises.
- Littering on university property.
- Malicious mischief, which is either the injury or destruction of property of another with malice. Malice, in this instance, shall be injury done wantonly and without justification.
- Physical or verbal abuse, threats, assault against any person on University owned or controlled premises, including the premises used at University sponsored or supervised functions or any acts of misconduct, which endanger the health, safety, or property of others.
- Plagiarism or the act or instance of using or closely imitating the language and thoughts of another author without authorization and the representation of that author's work as one's own, as by not crediting the original author.
- Possession of any form of illegal contraband or paraphernalia, which is usually associated with the use of narcotics and/or dangerous drugs.
- Posting on University property any advertisement, which promotes the use, purchase, or publishing such advertisement in any university-supported publications, flyers, or handbills.
- Refusal to exhibit ID cards to school officials, faculty, staff, or security personnel when required to do so on school premises.

- Rooms in the residence halls may not be decorated with alcoholic beverage containers.
- Sexual Harassment defined as unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact or communication. Sexual harassment does not include verbal expressions or written materials that is relevant and appropriately related to course subject matter or curriculum.
- Sexual Misconduct defined as engaging in non-consensual contact of a sexual nature.
- Stalking defined as a pattern of repeated, unwelcome contact or harassment. It may include: following or lying in wait for a person; repeated unwelcome, intrusive, and/or frightening communications; damaging a person's property; threats to harm any person or that person's acquaintances, family, or pets; cyberstalking - harassment through the Internet, cell phones, telecommunications, GPS, etc.; and, securing confidential personal information about person without that person's express permission.
- Theft or defacement of, vandalism or damage to property of the University, its premises, or to property of other students or members of the University community.
- Unauthorized use, entry, or occupancy of university facilities or premises.
- Unlawful possession or use of weapons, objects readily capable of being used as dangerous weapons, fireworks, chemicals, and explosives. Law enforcement officers subject to emergency calls may possess weapons authorized by law on school premises.
- Unlawful use, sale, possession, distribution, or being under the influence of, or association with narcotics, drugs, marijuana, hallucinogens, or other dangerous drugs while on or off campus.
- Violation of university policies or campus regulations requiring the registration of student organizations, soliciting, or unauthorized use of university facilities without prior written approval.

Sanctions

Sanctions for violation of University regulations or public law may include, but is not limited to, one or more of the following:

- *Warning:* A verbal and/or written notice to the student that s/he is violating or has violated University regulations.
- *Apology Letter:* A typed and signed apology letter by the accused student(s) acknowledging responsibility and providing a sincere expression of remorse to the victim(s) and/or stakeholders of the misconduct.

- *Specified Restrictions and/or Requirements:* The imposing of specified restrictions, including but not limited to: program participation, presentation of a workshop, preparation of a research paper project, social probation, community service, assessment or evaluation, counseling sessions, restitution for damages, punitive fines, residence hall transfer, eviction from residence halls, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate educational expectation.
- *Personal Probation:* Personal probation is an informal probation. A second violation means that disciplinary action will be based on both charges.
- *Conduct Probation:* Conduct probation is a formal probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's disciplinary file and the disciplinary hold on his or her record is removed at the discretion of the DOS.
- *Deferred Suspension:* Official suspensions may be deferred for a semester or an indefinite period of time. The suspension will be automatically enforced for any subsequent violation of the Student Code of Conduct or local, state, or federal laws. Either the Dean of Student or the Committee on Student Conduct may issue this sanction.
- *Temporary Suspension:* A student may be temporarily suspended from the university, or university housing, prior to, before, or during an investigation if one or more of the following is necessary: 1) to ensure the safety and well-being of members of the University community or the preservation of University property; 2) to ensure the student's own physical or emotional safety and well-being; and/or 3) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. *Such an administrative decision will be effective immediately.*
- *Suspension:* A student may be suspended for reasons of conduct for a defined period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of the suspension.
- *Indefinite Suspension:* A student may be indefinitely suspended from the University, which includes a denial of admission or re-admission for an indefinite period of time. Readmission may be granted only under exceptional circumstances. A suspension hold will be placed on the transcript.
- *Expulsion:* When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the university.
- *Rescission of Credit or Degree Revocation:* For those students found to have violated University policy, the University may elect to rescind credit for a specific course or program. Likewise, for those students who are found in violation of University policy

and who have already graduated, the University may elect to revoke the degree(s) of a given student. When a degree is revoked or credit rescinded, a record of this action will be made a part of the official record of the student or graduate in the Office of the Registrar.

- *Disciplinary Hold:* A disciplinary hold may be placed on records of students who have been placed on conduct probation, suspension, or expulsion. A student given a conduct hold may be required to have all enrollment and release of academic records approved through the Dean of Students. A disciplinary hold may also be utilized to ensure compliance with other sanctions or requests to appear.

Explanation of Rights

1. Prior to the commencement of any disciplinary action, the DOS shall explain to the accused student the student's rights under the terms of the Student Code of Conduct.
2. Prior to disciplinary action resulting in suspension, expulsion, or degree revocation, the DOS or a representative shall explain to the student the student's rights under the terms and conditions of these rules and regulations.
3. Each student involved in a proposed disciplinary action of suspension, expulsion, or degree revocation, will be asked to sign a statement explaining the disciplinary policies and procedures of the University. A copy of this statement is available in the Office of the DOS.
4. To initiate an appeal, a student must make the request. The request and reason for appeal should be made in writing, by hard copy, signed, and dated, to the Vice President for Student Affairs within twenty-four (24) hours after the disciplinary decision is rendered. If the student appeals a decision of temporary suspension, suspension, expulsion, degree revocation, or rescission of credit, the student may indicate in the appeal to choose an administrative hearing or a hearing before the Committee on Student Conduct. If the student appeals a decision of suspension, expulsion, degree revocation, or rescission of credit, the decision will not become effective until after the administrative hearing or after the Committee on Student Conduct hearing. A decision to suspend becomes effective immediately, but may be overturned after an appeal hearing. Hearings will be held as soon as practical after the student makes the request.
5. In cases of an appeal of an expulsion decision with a request for a hearing with the Committee on Student Conduct; shall follow expulsion-hearing procedures outlined according to the RUSO Policy Manual, Chapter 4 on Student Policies.

Committee on Student Conduct

A committee will be created to consider the appeal of cases resulting in temporary suspension, suspension, indefinite suspension, expulsion, rescission of credits, or degree revocation. The president of the university who shall have the authority to determine the composition of the committee shall appoint the committee. The committee makeup **may** include any combination of the following: (1) administrative staff members, the president may

appoint administrative staff members or seek nominations for committee membership from the Administrative Council; (2) faculty members, the president may appoint faculty members or seek nominations for committee membership from the Faculty Senate; and/or (3) student members, the president may appoint student members or seek nominations for committee membership from the Student Government Association. The student filing the appeal shall have the right to exclude the student members of the committee upon proper request. A quorum of the committee shall consist of a majority of the currently appointed members of the committee.

SEX OFFENSES, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Educational Programming

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the “Definitions” section on Page 16.

The University educates the student community about sexual assaults and date rape through mandatory freshman orientations each fall. The SWOSU Campus Police offers sexual assault education and information programs to University students and employees upon request. Literature on date rape education, risk reduction, and University response is available through the SWOSU Campus Police.

Victim Information

If you are a victim of sexual violence, you are not alone and you are in no way responsible for your assault.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The SWOSU Campus Police strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the SWOSU Campus Police and/or to a Housing official. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the SWOSU Campus Police, the local police will also be notified. A representative from Residence Life and Dean of Students will also be notified.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and/or SWOSU. A representative from the SWOSU Campus Police or Residence Life/Dean of Students will guide the victim through the available options and support the victim in his or her decision. Explanation of a victim's rights will be provided in writing. Various counseling options are available in writing from SWOSU through the Student Health Services, the Women's Center, University Ministries, Employee Assistance, and the Psychological and Counseling Center. Literature on Oklahoma Crime Victim's Rights is available through the SWOSU Campus Police. Counseling and support services outside SWOSU can be obtained through the District Attorney's office.

SWOSU disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the *Student Handbook*. The *Handbook* provides, in part, that the accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. If alleged victim is deceased because of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of disclosure under this policy. A student found guilty of violating the SWOSU sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the University for the First Offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding.
- Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or no forcible sex offenses; expulsion- temporarily or indefinite.

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the Definitions section on Page 18 SWOSU further prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined under Oklahoma law.

What to do if you are a Victim of Sexual Violence

- a. If you are not safe and need immediate help, call the police. If the incident happened on campus, call the SWOSU Campus Police Department at (580) 774-3111. If the incident occurred elsewhere in Weatherford, call the Weatherford Police Department at (580) 772-7791. If the incident happened anywhere else, call the law enforcement agency that has jurisdiction in the location where it occurred

- b. There are many safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or interfere when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual, which can be found at http://www.samuelmerritt.edu/sexual_violence/bystander
- c. Do what you need to do to feel safe. Go to a safe place or contact someone with whom you are comfortable. You can call the 800-656- HOPE (4673) to get advice and discuss options for how to proceed.
- d. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will not be available without credible evidence. The evidence collected can also be useful in the campus conduct process.
- e. Go to the Weatherford Regional Hospital to receive care for any physical injuries that may have occurred. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy.
- f. Upon arrival at Weatherford Regional Hospital, you will be taken to a private exam area. The nurse, advocate and police officer will be directed to this same location. You will be examined to treat any injuries and to gather evidence.
- g. The rape advocate will support you throughout the entire exam, which will be performed by the nurse. The advocate will provide a packet of written materials that contains information about common reactions to rape, follow-up medical needs and support services.

On and Off Campus Resources

Sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be found in family and friends, the following agencies and departments can serve as resources for you.

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, Southwestern Oklahoma State University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

It is important to have a thorough medical examination after a sexual assault even if you do not have any apparent physical injuries. Medical providers can treat any injuries and provide tests for sexually transmitted diseases.

Victim Advocate -Confidential Reporting Option, the Victim Advocate can confidentially provide students with information about on and off campus resources available to victims.

Counseling Resources

SWOSU Health Services-Counseling

Hours: 8:00 am -12:00 pm and 1:00 pm - 5:00 pm Monday thru Friday while class is in session

Location: Wellness Center (580) 774-3776

Red Rock Behavioral Health Services (580) 323-5635

Immigration

Citizenship & Immigration Services for Visa and immigration assistance

(800) 375-5283, www.uscis.gov/

SWOSU International Program (580) 774-6172

Legal Aid Services of Oklahoma

Civil assistance (888) 534-5243 www.legalaid.org

Criminal assistance www.ok.gov/OIDS

Oklahoma Bar Association www.okbar.org

Non-Confidential Reporting Options

SWOSU Campus Police Department (580) 774-3111

Weatherford Police Department (580) 772-7791

SWOSU Dean of Students (580) 774-3767

Title IX Coordinator David Misak (580) 774-3248

Medical Services

SWOSU Health Services (on-campus)

Hours: 8:00 am -12:00 pm and 1:00 pm - 5:00 pm Monday thru Friday while class is in session Location:

Wellness Center (580) 774-3776

Weatherford Regional Hospital-3701 East Main-(580) 772-5551

Interim Measures

The Dean of Students Office and the Title IX Coordinator can put in place interim measures for student victims of sexual violence as needed. A formal complaint does not need to be submitted to have interim measures put in place. SWOSU will maintain as confidential any interim measures provided as long as it does not impair the ability to provide the interim measures.

Assistance in Reporting: Student Conduct can assist you in filing a complaint with the institution conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.

No Contact Order: Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.

Emergency Protective Order: Student Conduct can assist you in filing for an Emergency Protective Order in court. This is a court-ordered petition that prohibits contact between the complainant and respondent.

Safety Measures: Student Conduct is obligated to coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.

Living Arrangements: Student Conduct can assist in changing your on-campus living arrangements or that of the accused to ensure safety and a comfortable living situation.

Academic Arrangements: Student Conduct can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.

Other Interim Measures: Student Conduct can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

When Student Conduct becomes aware of a student who potentially could have been a victim of sexual violence, they will contact the victim in writing through SWOSU email to share these interim measures, reporting options and other resources available. This will be done no matter the location of the incident.

Reporting

All forms of sexual violence should be reported, no matter the severity. SWOSU primary concern is safety; therefore, individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

SWOSU encourages victims of sexual violence to talk to someone about what happened so they can receive support and so that the institution can respond appropriately. SWOSU offers both confidential reporting and non-confidential reporting options. It is important to be aware that different individuals who victims can contact for assistance following an incident may

have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure a victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the institution must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Different employees on campus have different abilities to maintain a victim's request for confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally report only that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger an institution investigation into an incident against the victim's wishes. This report is done through a Clery Report and does not include the victim's name or other identifying information.
- Thirdly, some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator.

Confidential Reporting Options

Confidential reporting options provide students with the ability to confidentially report and discuss an instance of sexual violence without their information being shared with others. Please note confidential reporting limits the institution's ability to respond to incidents. www.swosu.edu/administration/police/security-report/witness.aspx

Professional Counselors: Professional and licensed counselors who provide mental health counseling (including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. These individuals are also not required by the Clery Act to report.

Victim Advocate: SWOSU treats the Victim Advocate as a confidential reporting option. Victims can visit with the Victim Advocate to learn about resources available on campus. The Victim Advocate is not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, the Victim Advocate will report incidents to SWOSU Campus Police Department for the purpose of the Clery Act. Additionally, the Victim Advocate will report quarterly to the Board of Regents on trends of incidents.

University Health Providers: University Health Services providers are confidential reporting options. They are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, they will report incidents without any identifiable information to SWOSU Campus Police for the purpose of the Clery Act.

While these professional counselors, non-professional counselors (those who act under the supervision of a licensed counselor), advocate, and health providers may maintain a victim's

confidentiality, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in the case of minors, imminent harm to self or others, or requirement to testify if subpoenaed in a criminal case.

If SWOSU determines that the alleged individual(s) pose a serious and immediate threat to the campus, SWOSU may issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

Non-Confidential Reporting Options

The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges and the Clery Act require all other employees (excluding counselors and Victim Advocate) who become aware of an instance of sexual violence to report the instance to SWOSU Campus Police. The victim's name should not be reported to the police without the victim's permission. The report should include the nature, date, time, and general location of an incident. This is a limited report, which includes no information that would directly or indirectly identify the victim. This allows the institution to track patterns, evaluate the program, and develop appropriate campus- wide responses.

When an instance of sexual violence is reported to a "responsible employee", the reporter can expect the incident will be reported to the Title IX Coordinator or Student Conduct Office. A responsible employee must report to the Title IX Coordinator or Student Conduct Office all relevant details about the alleged sexual harassment or sexual violence shared by the victim including names, date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the institution's response to the report. A responsible employee should not share information about the victim to law enforcement.

A "responsible employee" is an employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. Examples include but are not limited to faculty members, advisors, employees in student services offices and anyone in a supervisory role.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the institution will investigate the alleged sexual violence, end any sexual violence, prevent the sexual violence from reoccurring, and educate on sexual violence.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee is reporting obligations and if the victim wants to maintain confidentiality, then the student should be directed to a confidential resource.

Requests for Confidentiality from a Non-Confidential Reporter

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or

conduct action taken, SWOSU must weigh that request against the obligation to provide a safe environment for all students, including the victim.

If the institution honors the request for confidentiality, a victim must understand that the institution's ability to meaningfully investigate and respond to the incident may be limited.

Although rare, there are times when SWOSU may not be able to honor a victim's request in order to provide a safe environment for all students.

When weighing a victim's request for confidentiality or that no investigation or conduct process be pursued, the following will be considered:

- The increased risk that the alleged respondent will commit additional acts of sexual or other violence;
- whether there have been other sexual violence complaints about the same alleged respondent;
- whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple respondents;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the institution possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the institution to investigate and, if appropriate, pursue conduct action. If none of these factors is present, the institution will likely respect the victim's request for confidentiality.

If it is determined that the institution cannot maintain a victim's confidentiality, the institution will inform the victim prior to starting an investigation. SWOSU will remain ever mindful of the victim's well-being and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. The institution may not require a victim to participate in any investigation or conduct process.

Retaliation against the victim, whether by students or institution employees, will not be tolerated.

Reporting to the Police

SWOSU strongly encourages individuals to report sexual violence and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, institution conduct actions and/or civil actions against the perpetrator.

If the incident happened on campus, it can be reported to the SWOSU Campus Police Department SE corner of State and College or at (580) 774- 3111. If the incident occurred elsewhere in Weatherford, it can be reported to the Weatherford Police Department at 201 W Main Street, or at (580) 772-7791. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

Please know that the information you report can be helpful in supporting other reports and preventing further incidents.

Report to Student Conduct

Anyone can report any instances of sexual violence to The Dean of Students Office at 100 Campus Drive, Stafford Building Room #214 or at (580) 774-3767. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused is a student, the incident will be addressed through the Student Conduct process once a complaint is filed.

Additionally, as stated above, SWOSU strongly encourages individuals to report any instance of sexual violence to the police.

MISSING STUDENT NOTIFICATION

In accordance with Section 485 of the Higher Education Act, 20 U.S.C. § 1092(j), SWOSU has developed this investigation and notification policy regarding students who reside in campus housing and have been reported as missing.

- SWOSU encourages all SWOSU students to use the option to register a confidential contact person they want to be notified in the case the student is reported missing for 24 hours.
- This information will be kept confidential and reported only to law enforcement and offices mentioned above.
- Students may register their contacts with the Director of Housing office or the Dean of Students office. In the event that a SWOSU student is not registered, and has been reported missing for 24 hours, the SWOSU Campus Police will still be notified.
- IF A SWOSU STUDENT IS UNDER 18 YEARS OLD, IS NOT EMANCIPATED, AND IS MISSING FOR 24 HOURS, THE PARENT OR LEGAL GUARDIAN MUST BE NOTIFIED. ANY REPORTED MISSING SWOSU STUDENT FOR 24 HOURS WOULD ALSO BE REPORTED TO THE SWOSU CAMPUS POLICE.

- SWOSU will follow specific procedures when there is a reported SWOSU student missing for 24 hours, including but not limited to, contacting the confidential person or persons registered, housing director or his designate to check dorm room if applicable, dean of students and the VP of Student Affairs to check with faculty to determine if student has been attending classes. SWOSU Campus Police will also notify local police departments and any other police agency deemed necessary after the student is missing for 24 hours.
- If the missing student is under the age of 18 and is not an emancipated individual, SWOSU Campus Police will notify the student's parent or legal guardian immediately after the investigation has determined that the student has been missing for 24 hours.
- SWOSU encourages anyone who knows or believes a student may be missing to report this to the SWOSU Campus Police, or other persons listed above, immediately.
- If another office receives, the first report of a presumed missing student the SWOSU Campus Police shall be notified.

This requirement does not preclude implementing these procedures in less than 24 hours if circumstances warrant a faster implementation.

CONTACT INFORMATION

Any SWOSU student presumed missing for 24 hours, shall be reported to the SWOSU Campus Police Chief and presumed missing. The Chief will contact other parties as listed below.

SWOSU Campus Police	(580) 774-3111
SWOSU Title IX Coordinator	(580) 774-3248
SWOSU Director of Housing	(580) 774-3024
SWOSU Dean of Students	(580) 774-3767

VICTIM SERVICES

Sane Nurse, Laura Smith, SWOSU Health Services Wellness Center	(580) 774-3776
Custer County	(580) 323-3232

ANNUAL FIRE SAFETY REPORT

FIRE STATISTICS REPORTING RABLE FOR THE ANNUAL FIRE SAFETY REPORT							
STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES							
Residential Facilities	Residential Hall Address	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
BLACK KETTLE HALL	1120 N BROADWAY	0	0	0	0	0	0
HENNRIETTA MANN HALL	111 E DAVIS	0	0	0	0	0	0
JEFFERSON HALL	113 E DAVIS	0	0	0	0	0	0
NEFF HALL	221 W COLLEGE	0	0	0	0	0	0
OKLAHOMA HALL	104 E DAVIS	0	0	0	0	0	0
STEWART HALL	215 E COLLEGE	0	0	0	0	0	0
MARY MABRY SAVAGE APARTMENTS	223 W COLLEGE	0	0	0	0	0	0

DESCRIPTION OF ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEMS								
FIRE SAFETY SYSTEMS IN SWOSU RESIDENTIAL FACILITIES								
Residential Facilities	Residential Hall Address	Fire Alarm Monitoring	Partial Sprinkler System *1	Full Sprinkler System *2	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (fire) drills each calendar year
BLACK KETTLE HALL	1120 N BROADWAY	SIMPLE X		YES	FULL	YES	YES	2
HENNRIETTA MANN HALL	111 E DAVIS	SIMPLE X		YES	FULL	YES	YES	2
JEFFERSON HALL	113 E DAVIS	SIMPLE X	YES		FULL	YES	YES	3
NEFF HALL	221 W COLLEGE	SIMPLE X	YES		FULL	YES	YES	2
OKLAHOMA HALL	104 E DAVIS	DPS	YES		FULL	YES & STANDPIPE	YES	2
STEWART HALL	215 E COLLEGE	SIMPLE X	YES		FULL	YES	YES	2
MARY MABRY SAVAGE APARTMENTS	223 W COLLEGE	HOUSING ASST.			IN APARTMENT	YES	N.A.	0
*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.								
*2 Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.								

Fire Statistics

- Black Kettle Hall – 0
- Henrietta Mann Hall-0
- Jefferson Hall-0
- Mary Mabry Savage Apartments – 0
- Oklahoma Hall-0
- Neff Hall-0
- Stewart Hall - 0

Fire Log

- Housing Directors Office.

Fire Safety System

- All housing facilities equipped with fire detection system

Fire Drills

- All housing facilities complete a fire drill each fall and spring semesters.

No open flames, no exposed heating elements allowed in rooms, all housing dormitories are Smoke/Tobacco Free. Refer to Residence Life Handbook.

Procedures for Dorm Evacuation

In the event of a fire, the university expects that all residents evacuate by the nearest exit, closing doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm (if one is present) as they exit from the building. Once safely outside a building, it is appropriate to contact 911 and SWOSU Campus Police at (580) 774-3111.

Policies for Fire Safety Education and Training Programs for Students/Faculty/Staff

Fire safety education programs for all students living in on-campus student housing and all faculty and staff that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them.

Local fire authorities as well as the director of Student Housing who is experienced in fire safety matters teach fire safety education and training programs. The information provided during the fire safety programs is also available online at any time.

A list of Titles/Persons to which individuals should report when a fire has occurred, or if you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

President	(580) 774-3766
Vice President for Administration & Finance	(580) 774-3000
Vice President for Academic Affairs	(580) 774-3264
Vice President for Student Affairs	(580) 774- 7172
SWOSU Public Safety	(580) 772 -3111
Dean/Chairs of Departments	(580) 774-6611
Human Resource Department	(580) 774-3275
Dean of Students	(580) 774-3767
Counseling/Nursing Services	(580) 774-3776
Athletic Director/Coaches	(580) 774-3701
Director of Housing	(580) 774-3024

There are no plans for future improvements in Fire Safety at this time.

APPENDIX A

Definitions under Oklahoma law:

Dating violence is not defined in Oklahoma; however, violence against a person with whom the perpetrator is in a dating relationship is considered domestic violence, defined below. A **dating relationship** is defined as a courtship or engagement relationship. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

22 Okla. Stat. § 60.1.

Domestic violence is not defined in Oklahoma law. However, the criminal definition of **domestic abuse** is defined as: Any person who commits any assault and battery against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, or a person living in the same household as the defendant shall be guilty of domestic abuse.

21 Okla. Stat. § 644.

Sexual assault:

- a. rape, or rape by instrumentation, as defined in Sections 1111, 1111.1 and 1114 of this title, or
- b. forcible sodomy, as defined in Section 888 of this title. 21 Okla. Stat. § 142.20.

Rape (as used in the definition for “sexual assault”):

- A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
 1. Where the victim is under sixteen (16) years of age;
 2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
 3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
 4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privacy of the accused as a means of forcing the victim to submit;

5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
 6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
 7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or
 8. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen
 9. (18) Years of age or older and is an employee of the same school system.
- B. Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

21 Okla. Stat. § 1111

Rape by instrumentation (as used in the definition of "sexual assault"):

Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least sixteen

years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime. Except for persons sentenced to life or life without parole, any person sentenced

to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post- imprisonment supervision shall be in addition to the actual imprisonment.

21 Okla. Stat. § 1111.1.

Forcible sodomy (as used in the definition of “sexual assault”):

- A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section, where the victim of the third or subsequent offense is a person under sixteen

(16) Years of age shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, a violation of Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of said offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.

- B. The crime of forcible sodomy shall include:

1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; or
2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime; or
3. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or

political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state; or Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system.

4. 21 Okla. Stat. § 888.

Stalking:

Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:

1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and
2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested, Upon conviction, shall be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment

For purposes of this section:

1. "Harasses," means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;
2. "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct";
3. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;
4. "Unconsented contact" means any contact with another individual that is initiated or continued without the consent of the individual, or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following:

- a. following or appearing within the sight of that individual,
 - b. approaching or confronting that individual in a public place or on private property,
 - c. appearing at the workplace or residence of that individual,
 - d. entering onto or remaining on property owned, leased, or occupied by that individual,
 - e. contacting that individual by telephone,
 - f. sending mail or electronic communications to that individual, and
 - g. placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and
5. "Member of the immediate family", for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months.

21 Okla. Stat. § 1173.